

# EXHIBIT 5

- - -  
IN RE: BOARHEAD FARMS NPL :  
SUPERFUND SITE :  
- - -

ORIGINAL  
(Red)

ORIGINAL

Thursday, March 13, 1997  
Commencing at 10:55 a.m.

- - -  
Best Western Motor Inn  
1446 West Broad Street  
Quakertown, Pennsylvania 18951  
- - -

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841 Chestnut Building  
Phila., Pa. 19107-4431

for U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III

ALSO PRESENT:

BEVIN HARDY, PARALEGAL SPECIALIST  
PAUL J. NEALE, JR., PARALEGAL SPECIALIST  
JOAN E. MARTIN-BANKS, CIVIL INVESTIGATOR  
Region III  
841 Chestnut Building  
Phila., Pa. 19107

Witness: BRUCE J. DeREWAL

EXHIBITS

U.S. EPA Exhibits

No.	Description	Mrkd
1	Administrative subpoena	6
2	Boarhead Farms site map	8
3	Photograph	11
4	Photograph	12
5	Boarhead Farms site map (Pit W)	43
6	Photograph	43
7	Photograph	43
8	Jonas Trucking Company operating record	45
9	Jonas Trucking Company operating record	46

## EXHIBITS (Cont'd)

COPY  
(Red)

## U.S. EPA Exhibits

No.	Description	Mrkd
10	Ltr dtd 1/21/72 from Karen Bean to Mike Margarite, Philco Ford	49
11	DeRewal Chemical Company invoice dtd 3/27/72	51
12	DeRewal Chemical Company invoice dtd 8/18/72	52
13	DeRewal Chemical Company invoice dtd 7/14/72	52
14	DeRewal Chemical Company invoice dtd 10/31/73	53
15	Ltr dtd 9/18/72 from Manfred DeRewal to Mike Margarite of Philco Ford	54
16	Two photographs	55
17	Ltr dtd 8/23/76 from Susan Lemoire to Manfred DeRewal	56
18	DeRewal Chemical invoice #1388 dtd 3/19/77	57
19	DeRewal Chemical invoice #1402 dtd 4/9/77	57
20	Ashland Chemical Company sales orders/invoices dtd 7/26/77 through 2/15/78	57
21	PO dtd 5/11/77 to DeRewal from Diaz Chemical	61
22	Bill of lading dtd 5/28/77 to DeRewal Chemical	61
23	1976 Jonas operating record	63
24	American Cyanamid shipping orders to Jonas Waste Removal dtd July through September of 1976	63
25	Ltr 5/17/76 from Manfred DeRewal to Sylvia Fumara, Naval Air Development Center	69
26	Photograph	69
27	SPS PO #68361 dtd 2/17/76	70

EXHIBITS (Cont'd)

U.S. EPA Exhibits

No.	Description	Mrkd
28	SPS PO #3191 dtd 3/30/73	71
29	DeRewal Chemical SO #1208 dtd 1974 to SPS	71
30	SPS PO #95421 dtd 3/27/70	72
31	SPS PO #11802 dtd 6/2/70	72

1

2

3

BRUCE J. DeREWAL, having been duly  
sworn, was examined and testified as follows:

4

- - -

5

EXAMINATION

6

**BY MS. KEATING:**

7

Q Mr. DeRewal, my name is Sarah Keating. I'm the  
attorney assigned to the Boarhead Farms Superfund site  
matter. I have with me Bevin Hardy who's a paralegal  
in our office, Paul Neale who's also a paralegal, and  
Joan Martin-Banks who is a civil investigator assigned  
to the Boarhead matter.

13

I will be posing most of the  
questions to you, but Ms. Hardy, Mr. Neale and Ms.  
Martin-Banks might ask you some questions as well.  
We're here to discuss the Boarhead Farms Superfund site  
matter. Our focus is on the companies whose wastes  
might be buried at the site, and I guess at this point  
I'll just read some directions to you.

20

If you do not hear a question, say  
so and I'll repeat the question for you. If you do not  
understand a question, say so and I'll rephrase it. If  
you realize that an earlier answer that you gave was  
inaccurate or incomplete, please say that you would  
like to correct it or supplement it and I'll permit you

- - -  
IN RE: BOARHEAD FARMS NPL :  
SUPERFUND SITE :  
- - -

Wednesday, February 26, 1997  
Commencing at 9:55 a.m.

- - -  
Holiday Inn  
Suite 302  
Ft. Washington, Pennsylvania 19034  
- - -

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for U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION III

*ALSO PRESENT:*

BEVIN HARDY, PARALEGAL SPECIALIST  
PAUL J. NEALE, JR., PARALEGAL SPECIALIST  
JOAN E. MARTIN-BANKS, CIVIL INVESTIGATOR  
Region III  
841 Chestnut Building  
Phila., Pa. 19107

*Witness: MANFRED F. DeREWAL, JR.*

*EXHIBITS*

*U.S. EPA Exhibits*

<i>No.</i>	<i>Description</i>	<i>Mrkd</i>
1	Administrative subpoena	5
2	Boarhead Farms site map	10
3	Photograph	11
4	Photograph	11
5	Boarhead Farms site map (Pit W)	41
6	Photograph	41
7	Photograph	41
8	Jonas Trucking Company operating record	46
9	Jonas Trucking Company operating record	47



## EXHIBITS (Cont'd)

## U.S. EPA Exhibits

No.	Description	Mrkd
10	National Rolling Mills shipping order	50
11	National Rolling Mills bills of lading and invoices	54
12	Ltr dtd 1/21/72 from Karen Bean to Mike Margarite, Philco Ford	61
13	DeRewal Chemical Company invoice dtd 3/27/72	62
14	Two photographs	64
15	Ltr dtd 8/23/76 from Susan Lemore to Manfred DeRewal	67
16	DeRewal Chemical invoice #1388 dtd 3/19/77	67
17	DeRewal Chemical invoice #1402 dtd 4/9/77	70
18	PO dtd 5/11/77 to DeRewal from Diaz Chemical	72
19	Bill of lading dtd 5/28/77 to DeRewal Chemical	72
20	1976 Jonas Trucking operating records	78
21	American Cyanamid shipping orders to Jonas Waste Removal dtd July through September of 1976	79
22	Ltr 5/17/76 from Manfred DeRewal to Sylvia Fumara, Naval Air Development Center	89
23	Photograph	91
24	SPS PO #68361 dtd 2/17/76	92
25	SPS PO #3191 dtd 3/30/73	92
26	DeRewal Chemical SO #1208 dtd 1974 to SPS	92
27	SPS PO #95421 dtd 3/27/70	93
28	SPS PO #11802 dtd 6/2/70	93

1 MANFRED F. DeREWAL, JR., having  
2 been duly sworn, was examined and testified as follows:

3 EXAMINATION

4 BY MS. KEATING:

5 Q Mr. DeRewal, my name is Sarah Keating. I have  
6 with me Joan Martin-Banks, who is a civil investigator  
7 for the EPA; Bevin Hardy, who is a paralegal with the  
8 EPA; and Paul Neale, who is also a paralegal at EPA.  
9 We are all involved in the Boarhead Farms Superfund  
10 site matter and we're here to ask you some questions  
11 about that site.

12 A Okay.

13 Q As you know, the civil provisions of the Federal  
14 Superfund Statute authorizes us to ask you questions  
15 pursuant to a subpoena and we would like truthful and  
16 frank answers from you. Our focus is on the companies  
17 whose wastes might be buried out at that site. We have  
18 so far uncovered at least 2600 drums of wastes, and we  
19 would like to know whose waste that is.

20 Okay. I will now read some  
21 instructions to the deponent. If you do not hear a  
22 question, Mr. DeRewal, please say so and I will repeat  
23 it. If you don't understand a question, say so and  
24 I'll rephrase it. If you realize that an earlier  
25 answer you gave was inaccurate or incomplete and you

**In The Matter Of:**

*In the Matter of: Boarhead Farms Superfund*

---

*Jeffrey L. Shaak*

*June 25, 1997*

---

*Krauss, Katz & Ackerman, Inc.*

*Legal Support Services*

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*15th Floor*

*Philadelphia, PA 19103*

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**Word Index included with this Min-U-Script®**

BSAI035988

Page 1

Pag

[1] UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
[2] REGION III  
[3] 841 Chestnut Street  
[4] Philadelphia, Pennsylvania 19107  
[5]  
IN THE MATTER OF :  
[6]  
Boarhead Farms :  
[7] Superfund Site : SUBPOENA AD  
Bucks County, : TESTIFICANDUM  
[8] Pennsylvania : Subpoena No. 000037  
[9] COPYRIGHTED MATERIAL  
[10]  
[11] June 25, 1997  
[12]  
[13] Oral deposition of JEFFREY L.  
[14] SHAAK, held at the Best Western, Route  
[15] 309 and Stump Road, Montgomeryville,  
[16] Pennsylvania commencing at 10:00 a.m., on  
[17] the above date, before Linda Rossi Rios,  
[18] a Federally Approved Registered  
[19] Professional Reporter and Notary Public  
[20] of the Commonwealth of Pennsylvania.  
[21]  
KRAUSS, KATZ & ACKERMAN, INC.  
[22] Legal Support Services  
15th Floor  
[23] 1880 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19103  
[24] (215) 988-9191

[1]  
[2] INDEX  
[3] WITNESS PAGE NO.  
[4] JEFFREY L. SHAAK  
[5] By Ms. Keating 4  
[6]  
[7] EXHIBITS  
[8] NO. DESCRIPTION PAGE NO.  
[9] Exhibit 1 Subpoena 9  
[10] Exhibit 2 Map 13  
[11] Exhibit 3 Picture 14  
[12] Exhibit 4 Invoices-Ciba  
[13] Geigy 50  
[14] Exhibit 5 Pictures 62  
[15] Exhibit 6 National Rolling  
[16] Mills Document 66  
[17] Exhibit 7 Bills of Lading 69  
[18] Exhibit 8 Philco-Ford  
[19] Invoices 77  
[20] Exhibit 9 Pictures 78  
[21] Exhibit 10 Invoices-Advanced  
[22] Environmental 81  
[23] Exhibit 11 Invoice-Advanced  
[24] Environmental 82

Page 2

Pag

[1] APPEARANCES :  
[2] ENVIRONMENTAL PROTECTION AGENCY  
BY: SARAH KEATING, ESQUIRE (3RC33)  
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Philadelphia, Pennsylvania 19107  
[4] Counsel for the EPA  
[5] A L S O PRESENT:  
[6] PAUL NEALE  
BEVIN ESPOSITO  
[7] JOAN MARTIN-BANKS  
[8]  
[9]  
[10]  
[11]  
[12]  
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[15]  
[16]  
[17]  
[18]  
[19]  
[20]  
[21]  
[22]  
[23]  
[24]

[1] EXHIBITS  
[2] NO. DESCRIPTION PAGE NO.  
[3] Exhibit 12 Purchase Order-Diaz 83  
[4] Exhibit 13 Bill of Lading 86  
[5] Exhibit 14 American Cyanamid  
[6] Listing 88  
[7] Exhibit 15 American Cyanamid  
[8] documents 90  
[9] Exhibit 16 May 17, 1976 letter 92  
[10] Exhibit 17 SPS Purchase order 93  
[11] Exhibit 18 SPS Purchase Order 94  
[12] Exhibit 19 SPS Purchase Order 94  
[13]  
[14]  
[15]  
[16]  
[17]  
[18]  
[19]  
[20]  
[21]  
[22]  
[23]  
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Page 5

[1]  
[2] JEFFREY L. SHAAK, after  
[3] having been duly sworn, was  
[4] examined and testified as follows:

[5]  
[6] **EXAMINATION**

[7]  
[8] **BY MS. KEATING:**

[9] **Q:** Mr. Shaak, my name is Sarah  
[10] Keating. As you know, I am the attorney  
[11] that is assigned to the Boarhead Farms  
[12] Superfund site matter from EPA Region  
[13] III.

[14] I have with me Paul Neale,  
[15] who is a paralegal in our office; Bevin  
[16] Esposito, who is also a paralegal and  
[17] Joan Martin-Banks, who is a civil  
[18] investigator to this site.

[19] As you know, we're here to  
[20] ask you questions about the Boarhead  
[21] Farms Superfund matter. The subpoena  
[22] that was sent to you was sent in order to  
[23] gather information from you concerning  
[24] possible parties that may be responsible

Page 6

[1] for cleanup costs at that site. We would  
[2] like to obtain from you any information  
[3] you may have with respect to these  
[4] companies who may have either knowingly  
[5] or unknowingly disposed of their waste at  
[6] the Boarhead Farms property.

[7] It's important that we find  
[8] out what kind of chemicals or hazardous  
[9] substances are buried out there. We  
[10] would also like to find out the origin of  
[11] those hazardous substances or chemicals  
[12] because under the Superfund law, persons  
[13] or corporations who send wastes to a  
[14] property or whose wastes end up at that  
[15] property are responsible for cleaning it  
[16] up or paying for the cleanup if it's  
[17] performed by EPA.

[18] Again, I point out that the  
[19] focus of the deposition is on companies  
[20] whose wastes have been deposited at the  
[21] Boarhead Farms property.

[22] I will now read some  
[23] instructions to the deponent.

[24] Mr. Shaak, I'm going to ask

Page 7

[1] you some questions to find out what you  
[2] know about the Boarhead Farms Superfund  
[3] site and who may be responsible for  
[4] cleanup costs associated with this site.

[5] If you do not hear a  
[6] question, please say so and I'll repeat  
[7] it.

[8] If you do not understand a  
[9] question, please say so and I will  
[10] rephrase it for you.

[11] If you realize that an  
[12] earlier answer that you gave was  
[13] inaccurate or incomplete, please tell us  
[14] that. And if you want to correct or  
[15] supplement your earlier answer, you will  
[16] be permitted to do so.

[17] If you want to stop and use  
[18] the restroom or get a cup of coffee or  
[19] water, please let me know and you will be  
[20] permitted to do so. If you find that you  
[21] are tired or confused, and you want to  
[22] take a break, please let us know.

[23] If you do not know or do not  
[24] remember the information necessary to

Page 8

[1] answer a question, please say so.

[2] If you answer the question,  
[3] I will assume that you have heard it and  
[4] understood it and given me your best  
[5] recollection.

[6] Again, do you understand  
[7] that you took an oath to tell the truth  
[8] and the whole truth?

[9] **A:** Yes.

[10] **Q:** Do you understand the  
[11] instructions I just read to you?

[12] **A:** Yes.

[13] **Q:** With those prefatory  
[14] remarks, I would ask that before we begin  
[15] the questioning, do you have any  
[16] questions for me?

[17] **A:** No.

[18] **Q:** And the only other thing is  
[19] that Joan Martin-Banks, Paul Neale and  
[20] Bevin Esposito might also ask you some  
[21] questions. So if it gets confusing for  
[22] you, just let us know and we'll slow down  
[23] a little bit.

[24] **A:** All right.

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